

MDL 1456 STATUS CHART – GOVERNMENT ENTITY CASES

GOVERNMENT ENTITY CASES	MDL DOCKET NUMBER	ORIGINAL JURISDICTION	STATUS
Montana v. Abbott Labs., Inc. et al.	02-CV-12084-PBS	Removed to D. Mont.	<ul style="list-style-type: none"> • December 7, 2005 – Defendants’ Emergency Motion for an Order Holding Plaintiffs in Contempt, for Preservation of Potentially Relevant Documents, and for an Accounting of Spoliated Documents (re: Montana and Nevada) <ul style="list-style-type: none"> ○ December 7, 2005 – Defendants’ Motion for Expedited Briefing Schedule and Oral Argument on Defendants’ Motion for an Order Holding Plaintiffs in Contempt, for Preservation of Potentially Relevant Documents, and for an Accounting of Spoliated Documents ○ December 8, 2005 – Opposition of the States of Nevada and Montana to Defendants’ Motion for Expedited Briefing Schedule and Oral Argument on Defendants’ Motion for an Order Holding Plaintiffs in Contempt, for Preservation of Potentially Relevant Documents, and for an Accounting of Spoliated Documents ○ December 12, 2005 – Defendants’ Motion for Leave to File Reply Memorandum in Support of Motion Expedited Briefing Schedule and Oral Argument on Defendants’ Motion for an Order Holding Plaintiffs in Contempt, for Preservation of Potentially Relevant Documents, and for an Accounting of Spoliated Documents ○ December 15, 2005 – Opposition of the States of Nevada and Montana to Defendants’ Motion for Leave to File Reply Memorandum in Support of Motion Expedited Briefing Schedule and Oral Argument on Defendants’ Motion for an Order Holding Plaintiffs in Contempt, for Preservation of Potentially Relevant Documents, and for an Accounting of Spoliated Documents ○ December 21, 2005 – Opposition of the States of Nevada and Montana to Defendants’ Motion for an Order Holding Plaintiffs in Contempt, for Preservation of Potentially Relevant Documents, and for an Accounting of Spoliated Documents ○ January 6, 2006 – Defendants’ Motion for Leave to File a Reply Brief in Support of Their Emergency Motion for an Order Holding Plaintiffs in Contempt, for Preservation of Potentially Relevant Documents, and for an Accounting of Spoliated Documents ○ January 6, 2006 – Defendants’ Reply Brief in Support of Their Emergency Motion for an Order Holding Plaintiffs in Contempt, for Preservation of Potentially Relevant Documents, and for an Accounting of Spoliated Documents ○ January 11, 2006 – Opposition of the States of Nevada and Montana to Defendants’ Motion for Leave to File a Reply Brief in Support of Their Emergency Motion for an Order Holding Plaintiffs in Contempt for Preservation of Potentially Relevant Documents and for an Accounting of Spoliated Documents

GOVERNMENT ENTITY CASES	MDL DOCKET NUMBER	ORIGINAL JURISDICTION	STATUS
Montana v. Abbott Labs., Inc. et al. (continued)			<ul style="list-style-type: none"> • August 31, 2006 – The States of Montana and Nevada’s Second Motion to Amend Case Management Order No. 25 (re: Montana and Nevada) <ul style="list-style-type: none"> ◦ September 5, 2006 – Defendants’ Opposition to the Second Motion of the States of Montana and Nevada to Amend Case Management Order No. 25 ◦ September 20, 2006 – The States’ Reply to Defendants’ Opposition to the Second Motion of the States of Montana and Nevada to Amend Case Management Order No. 25
Nevada v. American Home Products, Inc. et al (“Nevada II”)	02-CV-12086-PBS	Removed to D. Nev.	<ul style="list-style-type: none"> • December 7, 2005 – Defendants’ Emergency Motion for an Order Holding Plaintiffs in Contempt, for Preservation of Potentially Relevant Documents, and for an Accounting of Spoliated Documents (re: Montana and Nevada, see entry under <i>Montana v. Abbott Labs., Inc. et al.</i>) <ul style="list-style-type: none"> ◦ July 21, 2006 – Nevada II Defendants’ Joint Memorandum in Support of Defendants’ Joint Motion for Redress for Spoliation of Evidence (<i>Nevada Only</i>) ◦ August 4, 2006 – State of Nevada’s Opposition to Defendants’ Joint Motion for Redress for Spoliation of Evidence ◦ August 14, 2006 – Defendants’ Joint Motion for Leave to File a Reply to Nevada’s Opposition to Defendants’ Joint Motion for Redress for Spoliation of Evidence (reply memorandum attached) • August 31, 2006 – The States of Montana and Nevada’s Second Motion to Amend Case Management Order No. 25 (re: Montana and Nevada) • October 19, 2006 – The State of Nevada’s Unopposed Motion for Extension of Time for Supplementing Responses to Defendants’ First Set of Interrogatories
State of Nevada v. Dey, Inc., et al., Case No. 3:06-539	n/a	Removed to D. Nev.	<ul style="list-style-type: none"> • November 8, 2006 – Conditional Transfer Order (33) transferring <i>State of Nevada v. Dey, Inc., et al.</i>, D. Nev., Case No. 3:06-539, to D. Mass. <ul style="list-style-type: none"> ◦ Notice of opposition due on November 27, 2006

GOVERNMENT ENTITY CASES	MDL DOCKET NUMBER	ORIGINAL JURISDICTION	STATUS
<p>California ex rel. Ven-A-Care of the Florida Keys, Inc. v. Abbott Labs., Inc. et al.</p>	<p>03-CV-11226-PBS</p>	<p>Removed to C.D. Cal.</p>	<ul style="list-style-type: none"> • January 17, 2006 – Defendants’ Motion to Dismiss the First Amended Complaint–In-Intervention (<i>individual memoranda of law submitted by ZLB Behring LLC and Abbott Laboratories Inc.</i>) <ul style="list-style-type: none"> ○ January 17, 2006 – B. Braun of America Inc.’s Motion to Dismiss the State of California’s First Amended Complaint ○ February 13, 2006 – Boehringer Ingelheim Pharmaceuticals, Inc.’s Motion to Dismiss and Joinder in Defendants’ Motion to Dismiss the First Amended Complaint-In-Intervention ○ March 2, 2006 – Plaintiffs’ Memorandum in Opposition to Defendants’ Joint Motion to Dismiss the First Amended Complaint-In-Intervention ○ March 2, 2006 – Plaintiffs’ Memorandum in Opposition to Defendant B. Braun of Am., Inc.’s Separate Motion to Dismiss the First Amended Complaint ○ March 2, 2006 – Plaintiffs’ Memorandum in Opposition to Defendant Abbott Laboratories, Inc.’s Separate Motion to Dismiss the First Amended Complaint ○ March 2, 2006 – Plaintiffs’ Memorandum in Opposition to Defendant ZLB Behring, LLC’s Individual Motion to Dismiss the First Amended Complaint ○ April 3, 2006 – Defendants’ Reply to Plaintiffs’ Memorandum in Opposition to Defendants’ Joint Motion to Dismiss the First Amended Complaint-In-Intervention (<i>individual replies filed by Abbott Laboratories Inc., B. Braun of America, Inc., Boehringer Ingelheim Pharmaceuticals, Inc. and ZLB Behring LLC</i>) ○ April 3, 2006 – Defendants’ Opposition to Plaintiffs’ Objections Pursuant to Rule 201(e) of the Federal Rules of Evidence to Judicial Notice of Facts and Conclusions Set Forth in Defendants’ Motion to Dismiss ○ April 17, 2006 – Plaintiffs’ Sur-Reply to Defendants’ Joint and Individual Motions to Dismiss the First Amended Complaint ○ April 17, 2006 – Plaintiffs’ Motion for Leave to File Reply in Support of Objections to Taking Judicial Notice of Facts and Conclusions Set Forth in Defendants’ Motion to Dismiss ○ April 17, 2006 – Plaintiffs’ Reply Brief in Opposition to Judicial Notice ○ June 12, 2006 – Defendants’ Motion for Leave to File a Supplemental Brief in Support of Their Motion to Dismiss Plaintiffs’ First Amended Complaint-In-Intervention ○ June 12, 2006 – Defendants’ Supplemental Brief in Support of Their Motion to Dismiss Plaintiffs’ First Amended Complaint-In-Intervention ○ June 20, 2006 – Plaintiffs’ Motion for Leave to File Objections to Defendants’ Supplemental Brief ○ June 20, 2006 – Plaintiffs’ Objections to Defendants’ Supplemental Brief ○ July 20, 2006 – Notice of Voluntary Dismissal of the State of California’s Claims Against Defendant McGaw, Inc.

GOVERNMENT ENTITY CASES	MDL DOCKET NUMBER	ORIGINAL JURISDICTION	STATUS
California <i>ex rel.</i> Ven-A-Care of the Florida Keys, Inc. v. Abbott Labs., Inc. et al. (continued)			<ul style="list-style-type: none"> • April 11, 2006 – Notice of Proposed Case Management Order Pursuant to the Court’s March 16, 2006 Ruling • April 28, 2006 – Stipulated Motion for Order Permitting Deposition of Harvey Weintraub (former Warrick Vice President) • July 26, 2006 – Plaintiffs’ Motion for Leave to File Supplemental Submission in Response to the Court’s Request for Claims Examples (submission attached) <ul style="list-style-type: none"> ○ August 4, 2006 – Defendants’ Opposition to Plaintiffs’ Motion for Leave to File Supplemental Submission in Response to the Court’s Request for Claims Examples ○ September 12, 2006 – Plaintiffs’ Supplemental Submission in Response to the Court’s Request for Claims Examples ○ October 5, 2006 – Defendants’ Unopposed Motion for Leave to File a Response to Plaintiffs’ Supplemental Submission in Response to the Court’s Request for Claims Examples (reply attached)
Ven-A-Care of the Florida Keys, et al. v. Abbott Laboratories, Inc., et al., Case No. 1:06-21303	n/a	S.D. Fla.	<ul style="list-style-type: none"> • July 7, 2006 – Abbott Laboratories, Inc.’s Motion to Dismiss <ul style="list-style-type: none"> ○ September 15, 2006 – United States’ Opposition to Abbott Laboratories, Inc.’s Motion to Dismiss ○ September 15, 2006 – Relator’s Joinder in United States’ Opposition to Abbott Laboratories, Inc.’s Motion to Dismiss ○ October 6, 2006 – Abbott Laboratories, Inc.’s Reply Memorandum in Support of Its Motion to Dismiss ○ October 18, 2006 – The United States’ Sur-Reply to Abbott Laboratories, Inc.’s Reply Memorandum in Support of Its Motion to Dismiss ○ October 23, 2006 – Relator’s Joinder in the United States’ Sur-Reply to Abbott Laboratories, Inc.’s Reply Memorandum in Support of Its Motion to Dismiss • July 11, 2006 – Conditional Transfer Order (30) transferring <i>Ven-A-Care of the Florida Keys, Inc., et al. v. Abbott Laboratories, Inc., et al.</i>, S.D. Fla., Case No. 1:06-21303, to D. Mass. <ul style="list-style-type: none"> ○ July 26, 2006 – No Notice of Opposition filed • August 18, 2006 – Abbott Laboratories, Inc.’s Motion for Entry of Case Management Order and to Order Commencement of Discovery <ul style="list-style-type: none"> ○ August 31, 2006 – Plaintiffs’ Response to Abbott Laboratories, Inc.’s Motion for Entry of Case Management Order ○ October 6, 2006 – Abbott Laboratories, Inc.’s Memorandum in Opposition to United

GOVERNMENT ENTITY CASES	MDL DOCKET NUMBER	ORIGINAL JURISDICTION	STATUS
Ven-A-Care of the Florida Keys, et al. v. Abbott Laboratories, Inc., et al., Case No. 1:06-21303 (continued)			<p>States' and Relator's Motion for a Comprehensive Case Management Order</p> <ul style="list-style-type: none"> September 15, 2006 – U.S. Motion for Protective Order <ul style="list-style-type: none"> September 29, 2006 – Abbott Laboratories Inc.'s Opposition to United States and Relators' Motion for Protective Order October 18, 2006 – United States' and Relator's Motion for Leave to File Reply to Abbott Laboratories, Inc.'s Opposition to United States' and Relator's Motion for a Protective Order (reply attached) <i>Note: On October 19, 2006 the Court issued an Electronic Notice requesting a courtesy copy but has yet to grant or deny the motion for leave to file</i> October 20, 2006 – Abbott Laboratories, Inc.'s Motion for Leave to File a Sur-Reply to the United States' and Relator's Reply Memorandum in Support of a Protective Order (sur-reply attached) October 31, 2006 – United States' and Relator's Praecipe Notifying Magistrate Judge Marianne B. Bowler of Comments Made by Judge Patti Saris at Hearing on October 24, 2006
State of Florida, et al. v. Boehringer Ingelheim Corp., et al, Case No. 4:06-476	n/a	Removed to N.D. Fla.	<ul style="list-style-type: none"> November 8, 2006 – Conditional Transfer Order (33) transferring <i>State of Florida, et al. v. Boehringer Ingelheim Corp., et al</i>, N.D. Fla., Case No. 4:06-476, to D. Mass. <ul style="list-style-type: none"> Notice of opposition due on November 27, 2006
State of Arizona ex rel. v. Abbott Labs., Case No. 2:06-45	n/a	D. Ariz.	<ul style="list-style-type: none"> July 21, 2006 – Warrick Pharmaceuticals Corporation's Renewed Motion for Leave to Take the Deposition of Harvey Weintraub for Purposes of Discovery in the Arizona Action or For Reconsideration of the Transferor Court's Decision <ul style="list-style-type: none"> August 4, 2006 – Plaintiff's Memorandum in Opposition to Warrick's Renewed Motion for Leave to Take the Deposition of Harvey Weintraub or For Reconsideration of the Decision of the Transferor Court August 11, 2006 – Plaintiff State of Arizona's Motion for Remand <ul style="list-style-type: none"> August 25, 2006 – Memorandum in Support of Defendants' Opposition to Plaintiff State of Arizona's Motion for Remand October 24, 2006 – Order issued by Judge Patti B. Saris denying Motion to Remand to State Court October 25, 2006 – Electronic Notice from the Court to Reopen Document #2974 Motion to Remand to State Court November 9, 2006 – Defendant Dey, Inc.'s Supplemental Notice of Removal (<i>leave to file granted on November 2, 2006</i>) <ul style="list-style-type: none"> November 13, 2006 – Plaintiff State of Arizona's Response to Defendant Dey, Inc.'s

GOVERNMENT ENTITY CASES	MDL DOCKET NUMBER	ORIGINAL JURISDICTION	STATUS
			Supplemental Notice of Removal
State of Hawaii v. Abbott Labs., Case No. 1:06-437	n/a	D. Hawaii	<ul style="list-style-type: none"> September 12, 2006 – Conditional Transfer Order (31) transferring <i>State of Hawaii v. Abbott Laboratories, Inc., et al.</i>, D. Hawaii., Case No. 1:06-437, to D. Mass. <ul style="list-style-type: none"> November 30, 2006 – JPML Hearing Session to Consider CTO 31 and Possible Final Transfer Order
United States ex rel. Edward West v. Ortho McNeil Pharmaceutical, Inc. et al., Case No. 1:03-8239	n/a	D. Ill.	<ul style="list-style-type: none"> September 12, 2006 – Conditional Transfer Order (31) transferring <i>United States ex rel. Edward West v. Ortho McNeil Pharmaceuticals, Inc., et al.</i>, D. Illinois, Case No. 1:03-8239, to D. Mass. <ul style="list-style-type: none"> Notice of opposition due on September 27, 2006
The People of the State of Illinois v. Abbott Labs., Case No. 1:06-5528	n/a	Removed to N.D. Ill.	<ul style="list-style-type: none"> November 8, 2006 – Conditional Transfer Order (33) transferring <i>The People of the State of Illinois v. Abbott Laboratories, et al.</i>, N.D. Illinois, Case No. 1:06-5528 to D. Mass. <ul style="list-style-type: none"> Notice of opposition due on November 27, 2006
Commonwealth of Kentucky ex rel. v. Warrick Pharmaceuticals Corp., et al., Case No. 3:06-69	n/a	Removed to E.D. Ky.	<ul style="list-style-type: none"> November 8, 2006 – Conditional Transfer Order (33) transferring <i>Commonwealth of Kentucky ex rel. v. Warrick Pharmaceuticals Corp., et al.</i>, E.D. Ky., Case No. 3:06-69, to D. Mass. <ul style="list-style-type: none"> Notice of opposition due on November 27, 2006
State of Mississippi v. Abbott Laboratories, Inc., et al., Case No. 3:06-566	n/a	Removed to S.D. Miss.	<ul style="list-style-type: none"> November 8, 2006 – Conditional Transfer Order (33) transferring <i>State of Mississippi v. Abbott Laboratories, Inc., et al.</i>, S.D. Miss., Case No. 3:06-566, to D. Mass. <ul style="list-style-type: none"> November 27, 2006 – Notice of opposition to proposed transfer filed
State of Ohio v. Dey, Inc., et al., Case No. 1:06-676	n/a	Removed to S.D. Ohio	<ul style="list-style-type: none"> November 8, 2006 – Conditional Transfer Order (33) transferring <i>State of Ohio v. Dey, Inc., et al.</i>, S.D. Ohio, Case No. 1:06-676, to D. Mass. <ul style="list-style-type: none"> Notice of opposition due on November 27, 2006
Commonwealth of Pennsylvania v. Tap Pharmaceutical Products, Case No. 2:06-4514	n/a	Removed to E.D. Pa.	<ul style="list-style-type: none"> November 8, 2006 – Conditional Transfer Order (33) transferring <i>Commonwealth of Pennsylvania, etc. v. Tap Pharmaceutical Products, Inc., et al.</i>, E.D. Pennsylvania, Case No. 2:06-4514 to D. Mass. <ul style="list-style-type: none"> November 23, 2006 – Commonwealth of Pennsylvania's Notice of Opposition to the Conditional Transfer Order

GOVERNMENT ENTITY CASES	MDL DOCKET NUMBER	ORIGINAL JURISDICTION	STATUS
State of South Carolina et al. v. Abbott Laboratories, Inc., Case No. 3:06-2482	n/a	D.S.C.	<ul style="list-style-type: none"> September 25, 2006 – Conditional Transfer Order (32) transferring <i>State of South Carolina v. Abbott Laboratories, Inc.</i>, D. South Carolina, Case No. 3:06-2482, to D. Mass. <ul style="list-style-type: none"> Notice of opposition due on October 10, 2006
State of South Carolina, et al. v. Dey, LP, Case No. 3:06-2914	n/a	Removed to D.S.C.	<ul style="list-style-type: none"> November 8, 2006 – Conditional Transfer Order (33) transferring <i>State of South Carolina, et al. v. Dey, LP</i>, D. South Carolina, Case No. 3:06-2914, to D. Mass. <ul style="list-style-type: none"> Notice of opposition due on November 27, 2006
State of South Carolina, et al. v. Dey, LP, Case No. 3:06-2925	n/a	Removed to D.S.C.	<ul style="list-style-type: none"> November 8, 2006 – Conditional Transfer Order (33) transferring <i>State of South Carolina, et al. v. Dey, LP</i>, D. South Carolina, Case No. 3:06-2925, to D. Mass. <ul style="list-style-type: none"> Notice of opposition due on November 27, 2006
State of Wisconsin v. Amgen, Inc., et al., Case No. 3:06-582	n/a	Removed to W.D. Wis.	<ul style="list-style-type: none"> November 8, 2006 – Conditional Transfer Order (33) transferring <i>State of Wisconsin v. Amgen, Inc., et al.</i>, W.D. Wis., Case No. 3:06-582, to D. Mass. <ul style="list-style-type: none"> Notice of opposition due on November 27, 2006
County of Schenectady v. Abbott Laboratories, Inc., et al., CA No. 06-1239	n/a	Removed to N.D.N.Y.	<ul style="list-style-type: none"> November 8, 2006 – Conditional Transfer Order (33) transferring <i>County of Schenectady v. Abbott Laboratories, Inc., et al.</i>, N.D. New York, CA No. 06-1239, to D. Mass. <ul style="list-style-type: none"> November 27, 2006 – Notice of Opposition to proposed transfer filed
County of Oswego v. Abbott Laboratories, Inc., et al., CA No. 06-1240	n/a	Removed to N.D.N.Y.	<ul style="list-style-type: none"> November 8, 2006 – Conditional Transfer Order (33) transferring <i>County of Oswego v. Abbott Laboratories, Inc., et al.</i>, N.D. New York, CA No. 06-1240, to D. Mass. <ul style="list-style-type: none"> November 27, 2006 – Notice of Opposition to proposed transfer filed
County of Erie v. Abbott Laboratories, Inc., et al., CA No. 06-6505	n/a	Removed to W.D.N.Y.	<ul style="list-style-type: none"> November 8, 2006 – Conditional Transfer Order (33) transferring <i>The County of Erie v. Abbott Laboratories, Inc., et al.</i>, W.D. New York, CA No. 06-6505, to D. Mass. <ul style="list-style-type: none"> November 27, 2006 – Notice of Opposition to proposed transfer filed

GOVERNMENT ENTITY CASES	MDL DOCKET NUMBER	ORIGINAL JURISDICTION	STATUS
Consolidated County Case (Civil Action No. 01-CV-12257-PBS): City of New York (S.D.N.Y.) County of Albany (N.D.N.Y.) County of Allegany (W.D.N.Y.) County of Broome (N.D.N.Y.) County of Cattaraugus (W.D.N.Y.) County of Cayuga (N.D.N.Y.) County of Chautauqua (W.D.N.Y.) County of Chemung (W.D.N.Y.) County of Chenango (N.D.N.Y.) County of Columbia (N.D.N.Y.) County of Cortland (N.D.N.Y.) County of Dutchess (S.D.N.Y.) County of Essex (N.D.N.Y.) County of Fulton (N.D.N.Y.) County of Genesee (W.D.N.Y.) County of Greene (N.D.N.Y.) County of Herkimer (N.D.N.Y.) County of Jefferson (N.D.N.Y.) County of Lewis (N.D.N.Y.) County of Madison (N.D.N.Y.) County of Monroe (W.D.N.Y.) County of Nassau (E.D.N.Y.) County of Niagara (W.D.N.Y.) County of Oneida (N.D.N.Y.) County of Onondaga (N.D.N.Y.) County of Ontario (W.D.N.Y.) County of Orleans (W.D.N.Y.) County of Putnam (S.D.N.Y.) County of Rensselaer (N.D.N.Y.) County of Rockland (S.D.N.Y.) County of St. Lawrence (N.D.N.Y.)	n/a	E.D.N.Y. N.D.N.Y. S.D.N.Y. W.D.N.Y.	<ul style="list-style-type: none"> March 30, 2005 – County of Suffolk’s Motion to Renew Its Second Motion to Compel the Production of Discovery From the Schering-Plough Corporation <i>sub judice</i> (Magistrate Judge Bowler) <ul style="list-style-type: none"> April 6, 2005 – Schering Plough’s Opposition to County of Suffolk’s Motion to Renew Its Second Motion to Compel the Production of Discovery March 3, 2006 – Defendants’ Joint Motion to Dismiss the New York Consolidated Complaint and the Nassau County Second Amended Complaint <ul style="list-style-type: none"> Individual Memoranda of Each Defendant in Support of Its Motion to Dismiss (1) the Consolidated Complaint of New York City and Plaintiff Counties Other than Nassau and (2) the Second Amended Complaint of Nassau County (<i>individual memoranda filed by Bayer Corp., Sanofi-Synthelabo, Forest Labs., Inc./Forest Pharmaceuticals, Inc., Amgen, Inc., Pfizer Defendants, TAP Pharmaceutical Prods., Inc., Biogen Idec Inc., Wyeth, Novartis Pharmaceuticals Corp., EMD, Inc., Mylan Defendants, AstraZeneca Defendants, Endo Pharmaceuticals, Roche Defendants, Boehringer Ingelheim Corp., MedImmune, Inc., Merck & Co., Inc., Sandoz Inc., Ben Venue Labs., Inc., Par Pharmaceuticals, Boehringer Ingelheim Corp.</i>) April 17, 2006 – Plaintiffs’ Opposition to Defendants’ Individual Memorandum in Support of Motion to Dismiss (1) the Consolidated Complaint of New York City and Plaintiff Counties Other than Nassau and (2) the Second Amended Complaint of Nassau County April 24, 2006 – Plaintiffs’ Opposition to Individual Memoranda of Law in Support of Motion to Dismiss Filed by Eli Lilly & Co., Purdue Pharma LP, Chiron Corp. May 8, 2006 – Defendant TAP Pharmaceutical Products Inc.’s Reply Memorandum in Support of Defendants’ Joint Motion to Dismiss May 11, 2006 – Joint Defendants’ Reply to Plaintiffs’ Opposition to Motion to Dismiss the Consolidated County Complaint and Nassau County’s Second Amended Complaint May 11, 2006 – Individual Reply Memoranda of Each Defendant in Further Support of Its Motion to Dismiss (1) the Consolidated Complaint of New York City and Plaintiff Counties Other than Nassau and (2) the Second Amended Complaint of Nassau County (<i>individual memoranda filed by Forest Labs., Inc./Forest Pharmaceuticals, Inc., Amgen Inc., Aventis Pharmaceuticals, Biogen Idec Inc., Endo Pharmaceuticals Inc., Eli Lilly and Co., Wyeth, The Roche Defendants, Merck & Co., Bayer Corp., Pfizer Defendants, Sanofi-Synthelabo, Mylan Defendants, Boehringer Ingelheim, Ben Venue Labs., Inc., Purdue Pharma LP/Purdue Frederick Co./Purdue Pharma Co., AstraZeneca, EMD, Inc., Sandoz Inc., Novartis Pharmaceuticals Corp., MedImmune, Inc., Par Pharmaceuticals, Inc.</i>) May 31, 2006 – Plaintiffs’ Emergency Motion for a Two-Day Extension of Time to File Sur-Reply Memoranda In Further Opposition to Defendants’ Motions to Dismiss June 2, 2006 – Plaintiffs’ Sur-Reply in Opposition to Defendants’ Joint Motion to Dismiss

GOVERNMENT ENTITY CASES	MDL DOCKET NUMBER	ORIGINAL JURISDICTION	STATUS
County of Saratoga (N.D.N.Y.) County of Schuyler (W.D.N.Y.) County of Seneca (W.D.N.Y.) County of Steuben (W.D.N.Y.) County of Suffolk (E.D.N.Y.) County of Tompkins (N.D.N.Y.) County of Ulster (N.D.N.Y.), County of Warren (N.D.N.Y.) County of Washington (N.D.N.Y.) County of Wayne (W.D.N.Y.) County of Westchester (S.D.N.Y.) County of Wyoming (W.D.N.Y.) County of Yates (W.D.N.Y.)			<p>(1) the Consolidated Complaint of the City of New York and New York Counties and (2) Nassau County's Second Amended Complaint</p> <ul style="list-style-type: none"> ○ June 2, 2006 – Plaintiffs' Joint Sur-Reply in Further Opposition to Defendants' Individual Motions to Dismiss ○ June 27, 2006 – Bayer Corporation's Motion for Leave to File a Notice of Supplemental Authority in Support of its Motion to Dismiss the Consolidated Complaint of New York City and Plaintiff New York Counties Other than Nassau and the Second Amended Complaint of Nassau County ○ June 27, 2006 – Bayer Corporation's Proposed Notice of Supplemental Authority in Support of its Motion to Dismiss the Consolidated Complaint of New York City and Plaintiff New York Counties Other than Nassau and the Second Amended Complaint of Nassau County ○ June 28, 2006 – Defendants' Joint Recommendation on Certification of New York State Law Questions Concerning Their Motion to Dismiss (1) the Consolidated Complaint of the City of New York and Plaintiff New York Counties Other than Nassau and (2) the Second Amended Complaint of Nassau County ○ July 7, 2006 – Plaintiffs' Response to Issues Raised During June 16, 2006 Oral Argument and to Defendants' Joint Recommendation on Certification ○ September 6, 2006 – Notice of Voluntary Dismissal of Sanofi-Synthelabo, Inc. ○ September 19, 2006 – Notice of Filing of Brief of the Attorney General of the State of New York as Amicus Curiae ○ October 12, 2006 – Defendants' Response to the Brief of the Attorney General of the State of New York as Amicus Curiae and to Plaintiffs' Post-Oral Argument Submissions <ul style="list-style-type: none"> • July 11, 2006 – Conditional Transfer Order (30) transferring County of Ulster v. Abbott Laboratories, Inc., et al., N.D. New York, CA No. 1:06-123, to D. Mass. <ul style="list-style-type: none"> ○ July 26, 2006 – No Notice of Opposition to proposed transfer filed • November 8, 2006 – Conditional Transfer Order (33) transferring <i>County of Wyoming v. Abbott Laboratories, Inc., et al.</i>, W.D. New York, CA No. 05-673, to D. Mass. <ul style="list-style-type: none"> ○ November 27, 2006 – Notice of Opposition to proposed transfer filed

MDL 1456 STATUS CHART – PRIVATE CLASS CASES

PRIVATE CLASS CASES	MDL DOCKET NO.	ORIGINAL JURISDICTION	STATUS
Master Consolidated Class Action	Master File 01-CV-12257-PBS	D. Mass. pursuant to JPML Order	<ul style="list-style-type: none"> • May 3, 2004 – Plaintiffs’ Motion to Compel the Production of Documents Created During the Relevant Time Period from Defendants Abbott Laboratories, AstraZeneca, Schering Plough, Sicor and Together Rx Defendants <i>sub judice</i> (Magistrate Judge Bowler) <ul style="list-style-type: none"> ○ May 17, 2004 – Certain Defendants’ Notice of Opposition to Plaintiffs’ Motion to Compel the Production of Certain Documents and Consent Motion for an Extension of Time ○ May 26, 2004 – Notice of Withdrawal of Plaintiffs’ Motion to Compel the Production of Documents Created During the Relevant Time Period Directed at Defendant Schering–Plough (<i>Note: withdrawal applies only to Schering-Plough</i>) ○ May 27, 2004 – Consent Motion for an Extension of Time to Oppose the Motion to Compel ○ May 27, 2004 – Opposition of the Together Rx Defendants to Plaintiffs’ Motion to Compel the Production of Documents ○ May 28, 2004 – Notice of Withdrawal of Plaintiffs’ Motion to Compel the Production of Documents Created During the Relevant Time Period Directed at Defendant Abbott Laboratories (<i>Note: withdrawal applies only to Abbott Laboratories</i>) ○ June 8, 2004 – Notice of Withdrawal of Plaintiffs’ Motion to Compel the Production of Documents Created During the Relevant Time Period Directed at Defendant AstraZeneca. (<i>Note: withdrawal applies only to AstraZeneca</i>) ○ June 9, 2004 – Plaintiffs’ Reply Memorandum in Support of Motion to Compel the Production of Documents Created During the Relevant Time Period from the Together Rx Defendants ○ June 22, 2004 – Order granting Plaintiffs’ Motion to Withdraw Motion to Compel Directed at Abbott Laboratories ○ Awaiting scheduling of hearing or ruling by Court as to Together Rx Defendants • February 23, 2005 – Third Party Schaller Anderson Inc.’s Objection and Motion to Quash Plaintiffs’ Subpoena • June 14, 2005 – Defendant Sicor Inc. and Sicor Pharmaceuticals, Inc.’s Motion for Protective Order with Memorandum in Support <i>sub judice</i> (Magistrate Judge Bowler)

PRIVATE CLASS CASES	MDL DOCKET NO.	ORIGINAL JURISDICTION	STATUS
Master Consolidated Class Action (continued)			<ul style="list-style-type: none"> ○ June 28, 2005 – Plaintiffs’ Response to Sicor’s Motion for Protective Order ○ July 7, 2005 – Motion for Leave to File Reply to Plaintiffs’ Response to Sicor’s Motion for Protective Order • November 9, 2005 – Plaintiffs’ Motion for Order Exempting Defendant Abbott Laboratories from Any Order Refusing to Extend Deadline for Track Two Discovery <ul style="list-style-type: none"> ○ November 23, 2005 – Defendant Abbott Laboratories’ Opposition to Plaintiffs’ Motion for Order Exempting Defendant Abbott Laboratories from Any Order Declining to Extend Deadline for Track Two Discovery ○ December 1, 2005 – Plaintiffs’ Letter to Magistrate Judge Bowler Requesting Postponement of Hearing until Track Two Discovery Issues Resolved • November 28, 2005 – Plaintiffs’ Motion for Clarification of Case Management Order #16 <ul style="list-style-type: none"> ○ November 30, 2005 – Response of Defendant Watson Pharma, Inc. to Plaintiffs’ “Motion for Clarification of Case Management Order #16” ○ November 30, 2005 – Certain Track II Defendants’ Request for Expedited Hearing ○ December 1, 2005 – Order re: Plaintiffs’ Motion for Clarification of Case Management Order #16 ○ December 9, 2005 – Track II Defendants’ Submission Regarding Discovery Schedule ○ December 9, 2005 – Watson Pharmaceuticals, Inc.’s Response to Court Order Regarding Discovery Schedule ○ December 9, 2005 – Defendants Baxter Healthcare Corporation and Baxter International Inc.’s Memorandum Regarding Track II Discovery Schedule ○ December 9, 2005 – Plaintiffs’ Memorandum in Support of Their Proposed Track II Discovery Schedule ○ December 15, 2005 – Plaintiffs’ Reply to Watson Pharmaceuticals, Inc.’s Response to Court Order Regarding Discovery Schedule ○ December 16, 2005 – Watson Pharmaceuticals, Inc.’s Motion for Leave to File Reply Memorandum in Support of Its Response to Court Order Regarding Discovery Schedule

PRIVATE CLASS CASES	MDL DOCKET NO.	ORIGINAL JURISDICTION	STATUS
Master Consolidated Class Action (continued)			<ul style="list-style-type: none"> • February 16, 2006 – Dey, Inc.’s and Abbott Laboratories’ Objections to the Order of Chief Magistrate Judge Bowler Issued on February 4, 2006 Pursuant to Fed. R. Civ. P. Rule 72(a) <ul style="list-style-type: none"> ○ February 22, 2006 – Plaintiffs’ Assented-to Motion for Leave to Reply to Dey, Inc.’s and Abbott Laboratories’ Objections to the Order of Chief Magistrate Judge Bowler Issued on February 4, 2006 to File Such Reply Until March 8, 2006 ○ March 8, 2006 – Plaintiffs’ Opposition to Dey, Inc.’s and Abbott Laboratories’ Objections to Chief Magistrate Judge Bowler’s Order Denying Further Discovery of Massachusetts Health Plans ○ March 8, 2006 – Plaintiffs’ Motion for Leave to File Plaintiffs’ Opposition to Dey, Inc.’s and Abbott Laboratories’ Objections to Chief Magistrate Judge Bowler’s Order Denying Further Discovery of Massachusetts Health Plans • February 21, 2006 – UnitedHealthcare, Inc. and United HealthCare Insurance Co.’s Limited Objections to Magistrate Judge’s Order Granting Defendants’ Motion to Compel <ul style="list-style-type: none"> ○ March 10, 2006 – Defendants’ Response to Third Party UnitedHealthcare, Inc. and United HealthCare Insurance Company’s Objections to Chief Magistrate Judge Bowler’s Order Granting Defendants’ Motion to Compel • March 15, 2006 – Track One Defendants’ Motion for Summary Judgment (Classes One and Two) <i>(individual memoranda filed by each of the Track One Defendants)</i> <ul style="list-style-type: none"> ○ April 7, 2006 – Plaintiffs’ Memorandum in Opposition to Track One Defendants’ Joint Motion for Summary Judgment <i>(replies filed to individual memoranda by each of the Track One Defendants)</i> ○ April 28, 2006 – Defendants’ Reply Memorandum in Further Support of Track 1 Defendants’ Joint Motion for Summary Judgment <i>(individual reply memoranda filed in further support of motions for summary judgment by AstraZeneca Pharmaceuticals, BMS, Johnson & Johnson, and Schering-Plough & Warrick Pharmaceuticals)</i> ○ May 5, 2006 – Johnson & Johnson Defendants’ Motion for Leave to Respond to the Duxbury Declaration § May 19, 2006 – Plaintiffs’ Memorandum of Law in

PRIVATE CLASS CASES	MDL DOCKET NO.	ORIGINAL JURISDICTION	STATUS
Master Consolidated Class Action (continued)			<p>Opposition to the Johnson & Johnson Defendants' Motion for Leave to Respond to the Duxbury Declaration</p> <ul style="list-style-type: none"> ○ May 18, 2006 – BMS Defendants' Supplemental Reply in Support of Their Motion for Summary Judgment § May 26, 2006 – BMS Defendants' Supplemental Memorandum Regarding Subsequent History ○ May 26, 2006 – Track 1 Defendants' Notice of Supporting Authority Regarding Congressional Adoption of AWP in 1997 ○ May 26, 2006 – Plaintiffs' Sur-Reply in Opposition to AstraZeneca's Motion for Summary Judgment Discussing Two Discrete Issues Requested By the Court ○ May 30, 2006 – Track One Defendants' Memorandum Addressing Class Plaintiffs' "Plain Meaning" Argument ○ June 1, 2006 – Schering-Plough Corporation's and Warrick Pharmaceuticals Corporation's Supplemental Memorandum Regarding Generic and Multi-Source Drugs ○ June 1, 2006 – Class Plaintiffs' Motion to Strike Track 1 Defendants' Unauthorized Memoranda ○ June 5, 2006 – Plaintiffs' Motion for Leave to File One-Page Supplement to Their Sur-Reply in Opposition to AstraZeneca's Motion for Summary Judgment Discussing Two Discrete Issues Requested by the Court ○ June 5, 2006 – Plaintiffs' One-Page Supplement to Their Sur-Reply in Opposition to AstraZeneca's Motion for Summary Judgment Discussing Two Discrete Issues Requested by the Court ○ June 6, 2006 – Track 1 Defendants' Opposition to Class Plaintiffs' Motion to Strike Track 1 Defendants' Memoranda ○ July 3, 2006 – Track Two Defendants' Brief Demonstrating That (1) Plaintiffs' Claims Do Not Require a Definition of AWP as Used in the Medicare Statute and (2) The Court Is Precluded By Controlling First Circuit Authority From Undertaking A Plain Meaning Analysis (filed with exhibit on July 6, 2006) ○ August 21, 2006 – Plaintiffs' Motion for Leave to File a Response to the Track Two Defendants' Submission Regarding the Meaning of AWP (response attached) ○ September 15, 2006 – Brief of U.S. as Amicus Curiae ○ October 11, 2006 – Track 1 Defendants' Memorandum in Response to the Brief of the United States as Amicus Curiae ○ October 11, 2006 – The BMS Defendants' Response to the

PRIVATE CLASS CASES	MDL DOCKET NO.	ORIGINAL JURISDICTION	STATUS
Master Consolidated Class Action (continued)			<p>Government's Amicus Brief</p> <ul style="list-style-type: none"> • March 15, 2006 – Class Plaintiffs' Motion for Summary Judgment on Defendants' Affirmative Defenses <ul style="list-style-type: none"> ○ April 7, 2006 – Track One Defendants' Memorandum in Opposition to Class Plaintiffs' Motion for Partial Summary Judgment on Defendants' Affirmative Defenses (<i>individual memoranda in opposition filed by Track One Defendants</i>) ○ April 28, 2006 – Plaintiffs' Reply Memorandum in Further Support of Motion for Summary Judgment on Defendants' Affirmative Defenses • March 15, 2006 – Plaintiffs' Motion for Partial Summary Judgment on Behalf of Class 1 and 2 Against Defendant AstraZeneca Based on Its Guilty Plea Related to Zoladex <ul style="list-style-type: none"> ○ April 7, 2006 – AstraZeneca Pharmaceuticals LP's Memorandum of Law in Opposition to Plaintiffs' Motion for Partial Summary Judgment on Behalf of Class 1 and 2 Against Defendant AstraZeneca Based on Its Guilty Plea Related to Zoladex ○ April 28, 2006 – Plaintiffs' Reply Memorandum in Further Support of Motion for Partial Summary Judgment Against AstraZeneca Based on Its Guilty Plea Relating to Zoladex • May 8, 2006 – Plaintiffs' Motion to Certify Claims with Respect to Track 2 Defendants <ul style="list-style-type: none"> ○ May 16, 2006 – Plaintiffs' Motion for Leave to Join Harold Bean as a Plaintiff and a Proposed Class Representative <ul style="list-style-type: none"> § May 19, 2006 – Track Two Defendants' Opposition to Plaintiffs' Motion for Leave to Join Harold Bean as a Plaintiff and Class Representative § May 24, 2006 – Warrick Pharmaceuticals Corp.'s Opposition to Plaintiffs' Motion for Leave to Join Harold Bean as a Plaintiff and Class Representative ○ May 16, 2006 – Track Two Defendants' Motion to Strike Harold Bean as a Proposed Class Representative <ul style="list-style-type: none"> § May 26, 2006 – Plaintiffs' Memorandum in Opposition to Motion to Strike Harold Bean as a Proposed Class Representative ○ June 15, 2006 – Defendants' Individual Memoranda of Law in

PRIVATE CLASS CASES	MDL DOCKET NO.	ORIGINAL JURISDICTION	STATUS
Master Consolidated Class Action (continued)			<p>Opposition to Track 2 Class Certification (<i>individual memorandum filed by each of the Track 2 Defendants</i>) (Redacted versions filed in last week of June/first week of July 2006)</p> <ul style="list-style-type: none"> ○ July 19, 2006 – Plaintiffs’ Reply Memorandum in Support of Motion to Certify Claims With Respect to Track 2 Defendants ○ August 4, 2006 – Track Two Proposal Concerning the Appointment of a Neutral Expert to Advise the Court on Track Two Class Certification ○ August 7, 2006 – Plaintiffs’ Response to Track Two Proposal Concerning the Appointment of a Neutral Expert to Advise the Court on Track Two Class Certification ○ August 25, 2006 – Abbott Laboratories, Inc.’s Motion for Leave to File Under Seal ○ August 25, 2006 – Track Two Defendants’ Memorandum in Opposition to Class Certification ○ August 25, 2006 – Track Two Defendants’ Memorandum Regarding Harold Bean, in Further Opposition to Class Certification ○ September 5, 2006 – Plaintiff’s Response to Track 2 Defendants’ Memorandum Regarding Harold Bean ○ September 7, 2006 – Track Two Defendants’ Notice of Supplemental Evidence Relevant to Class Certification ○ September 11, 2006 – Track Two Defendants’ Supplemental Filing Regarding the Track Two Defendants’ Motion for Leave to File the Rebuttal Declaration of Steven J. Young in Support of Track 2 Defendants’ Opposition to Class Certification or, in the Alternative, Motion to Strike the Hartman Track 2 Dyckman Rebuttal, Hartman Track 2 Young Rebuttal and the Rosenthal Rebuttal) ○ September 11, 2006 – Track Two Defendants’ Notice of Supplemental Authority Relevant to Class Certification ○ October 16, 2006 – Class Plaintiffs’ Submission of the “Generics Chart” Pursuant to the Oral Request of the Court During the Class Certification Hearing in Connection with Track 2 (corrected October 17, 2006) <ul style="list-style-type: none"> • June 16, 2006 – Track 1 Defendants’ Motion to Preclude the Expert Testimony of Dr. Raymond Hartman in Connection with Classes 1 and 2 or, in the Alternative, for a Daubert Hearing • June 22, 2006 – Plaintiffs’ Motion to Quash May 18, 2006 Amended Notice

PRIVATE CLASS CASES	MDL DOCKET NO.	ORIGINAL JURISDICTION	STATUS
Master Consolidated Class Action (continued)			<p>of Deposition of Harvey Weintraub Filed by Defendant Warrick Pharmaceuticals Corporation</p> <ul style="list-style-type: none"> ○ June 22, 2006 – Plaintiffs’ Motion for Leave to File Under Seal Plaintiffs’ Memorandum and Exhibit 1 to the Declaration of Steve W. Berman in Support of Motion to Quash May 18, 2006 Amended Notice of Deposition of Harvey Weintraub Filed by Defendant Warrick Pharmaceuticals Corporation ○ July 6, 2006 – Warrick’s Memorandum in Opposition to Certain Plaintiffs’ Motion to Quash May 18, 2006 Amended Notice of Deposition of Harvey Weintraub and in Support of Cross Motion for Leave to Take Deposition of Harvey Weintraub for Purposes of Preservation of Testimony ○ July 20, 2006 – Plaintiffs’ Memorandum in Opposition to Warrick Pharmaceuticals Corporation’s Cross-Motion for Leave to Take the Deposition of Harvey Weintraub for Purposes of Preservation of Testimony ○ August 3, 2006 – Warrick Pharmaceuticals Corporation’s Reply Memorandum in Support of Its Cross Motion for Leave to Take the Deposition of Harvey Weintraub for Purposes of Preservation of Testimony <ul style="list-style-type: none"> • June 23, 2006 – Schering-Plough Corporation’s Motion to Strike Certain Subject Drugs <ul style="list-style-type: none"> ○ July 7, 2006 – Class Plaintiffs’ Memorandum in Opposition to Schering-Plough’s Motion to Strike Certain Subject Drugs ○ July 20, 2006 – Schering-Plough Corporation’s Motion for Leave to File a Reply Memorandum in Support of Its Motion to Strike Certain Drugs (reply memorandum attached) <ul style="list-style-type: none"> • June 30, 2006 – Aventis Pharmaceuticals Inc.’s Motion for Partial Summary Judgment as to Count V and Motion for Partial Judgment on the Pleadings, or in the Alternative, Partial Summary Judgment as to Count VII Based Upon Plaintiffs’ Failure to Provide M.G.L. Ch. 93A Demand <ul style="list-style-type: none"> ○ July 17, 2006 – Plaintiffs’ Response in Opposition to Aventis’s Motion for Summary Judgment for Failure to Provide Mass G.L. Chap. 93(A) Demand and Motion for Leave to File an Amended Complaint ○ July 31, 2006 – Amgen Inc.’s Opposition to Plaintiffs’ Motion for

PRIVATE CLASS CASES	MDL DOCKET NO.	ORIGINAL JURISDICTION	STATUS
Master Consolidated Class Action (continued)			<p>Leave to File an Amended Complaint (<i>joined in by Abbott Defendants; Dey, Inc.; Fujisawa Defendants, Immunex Corp.; Pfizer Inc.; Pharmacia Corporation; Sicor Inc.; Watson Pharmaceuticals, Inc.</i>)</p> <ul style="list-style-type: none"> ○ August 24, 2006 – Plaintiffs’ Motion for Leave to File a Reply Memorandum in Response to Defendant Aventis’ Pharmaceutical Inc.’s Opposition to Plaintiffs’ Motion for Leave to File an Amended Complaint (reply attached) • July 14, 2005 – Track 1 Defendants’ Motion for Summary Judgment With Respect to Class 3 <ul style="list-style-type: none"> ○ July 14, 2006 – Certain Defendants’ Individual Memoranda of Law in Support of Motion for Summary Judgment as to Class 3 Claims (<i>individual memorandum filed by Schering-Plough Corporation and Warrick Pharmaceuticals Corporation, Johnson & Johnson Defendants, BMS Defendants</i>) ○ August 30, 2006 – Plaintiffs’ Memorandum in Opposition to the Track 1 Defendants’ Motion for Summary Judgment With Respect to Class 3 ○ August 30, 2006 – Plaintiffs’ Memorandum in Opposition to Individual Defendants’ Motion for Summary Judgment as to Class 3 (<i>reply to Schering-Plough Corporation, Johnson & Johnson Defendants, BMS Defendants</i>) ○ September 22, 2006 – Track 1 Defendants’ Reply Memorandum of Law in Support of Their Motion for Summary Judgment With Respect to Class 3 ○ September 22, 2006 – Reply Memorandum in Support of Schering’s and Warrick’s Motion for Summary Judgment as to Class 3 Claims ○ September 22, 2006 – BMS Defendants’ Reply Memorandum of Law in Support of Their Motion for Summary Judgment as to Class 3 • July 14, 2006 – Track 1 Defendants’ Motion to Preclude the Expert Testimony of Dr. Raymond Hartman in Connection with Class 3, or, in the Alternative, for a Daubert Hearing <ul style="list-style-type: none"> ○ July 31, 2006 – Schering’s and Warrick’s Supplemental Motion to Preclude the Testimony of Dr. Raymond Hartman • August 1, 2006 – Memorandum of the Track 1 Defendants Regarding a

PRIVATE CLASS CASES	MDL DOCKET NO.	ORIGINAL JURISDICTION	STATUS
Master Consolidated Class Action (continued)			<p>Daubert Hearing and November Trial</p> <ul style="list-style-type: none"> • October 3, 2006 – Plaintiffs’ Disclosures Pursuant to the Court’s Amended Pretrial Order of August 21, 2006 <ul style="list-style-type: none"> ○ October 9, 2006 – Plaintiffs’ Amended Disclosures Pursuant to the Court’s Amended Pretrial Order of August 21, 2006 ○ October 11, 2006 – Corrected Plaintiffs’ Amended Disclosures Pursuant to the Court’s Amended Pretrial Order of August 21, 2006 ○ October 17, 2006 – Track 1 Defendants’ Objections to Plaintiffs’ Proposed Exhibits ○ October 27, 2006 – Plaintiffs’ Second Amended Disclosures Pursuant to the Court’s Amended Pretrial Order of August 21, 2006 ○ November 2, 2006 – Plaintiffs’ Supplemental Pretrial Disclosures Pursuant to the Court’s Amended Pretrial Order of August 21, 2006 ○ November 3, 2006 – Track 1 Defendants’ Revised and Supplemental Objections to Plaintiffs’ Supplemented Proposed Exhibits • October 10, 2006 – Track 1 Defendants’ Joint Pretrial Disclosures Pursuant to Fed R. Civ. P. 26(a)(3)(A) – Witness List (<i>individual lists filed by AstraZeneca, BMS, Johnson & Johnson, Schering-Plough Corporation and Warrick Pharmaceuticals Corporation</i>) <ul style="list-style-type: none"> ○ October 17, 2006 – Defendants Bristol-Myers Squibb Co. and Oncology Therapeutics Network Corp.’s Amended Pretrial Disclosures ○ October 19, 2006 – Schering-Plough Corporation’s and Warrick Pharmaceuticals Corporation’s Amended Pretrial Disclosures Pursuant to Fed R. Civ. P. 26(a)(3)(A) ○ October 23, 2006 – The J&J Defendants’ Amended Individual Disclosures Pursuant to Fed R. Civ. P. 26(a)(3)(A) ○ October 23, 2006 – Track 1 Defendants’ Joint Amended Pretrial Disclosures Pursuant to Fed R. Civ. P. 26(a)(3)(A) – Amended Witness List ○ October 24, 2006 – Plaintiffs’ Objections to Defendants Bristol-Myers Squibb Co. and Oncology Therapeutics Network Corp.’s Amended Pretrial Disclosures ○ October 24, 2006 – Plaintiffs’ Objections to the J&J Defendants’ Amended Individual Disclosures Pursuant to Fed R. Civ. P. 26(a)(3)(A) ○ October 24, 2006 – Plaintiffs’ Objections to Schering-Plough

PRIVATE CLASS CASES	MDL DOCKET NO.	ORIGINAL JURISDICTION	STATUS
Master Consolidated Class Action (continued)			<p>Corporation's and Warrick Pharmaceuticals Corporation's Amended Pretrial Disclosures Pursuant to Fed R. Civ. P. 26(a)(3)(A)</p> <ul style="list-style-type: none"> ○ October 25, 2006 – Schering-Plough Corporation's and Warrick Pharmaceuticals Corporation's Second Amended Pretrial Disclosures Pursuant to Fed R. Civ. P. 26(a)(3)(A) ○ November 3, 2006 - The J&J Defendants' Second Amended Individual Disclosures Pursuant to Fed R. Civ. P. 26(a)(3)(A) <ul style="list-style-type: none"> • October 10, 2006 – Track 1 Defendants' Joint Pretrial Disclosures Pursuant to Fed R. Civ. P. 26(a)(3)(A) – Exhibit List (<i>individual lists filed by AstraZeneca, BMS, Johnson & Johnson, Schering-Plough Corporation and Warrick Pharmaceuticals Corporation</i>) <ul style="list-style-type: none"> ○ October 17, 2006 – Defendants Bristol-Myers Squibb Co. and Oncology Therapeutics Network Corp.'s Amended Pretrial Disclosures ○ October 19, 2006 – Schering-Plough Corporation's and Warrick Pharmaceuticals Corporation's Amended Pretrial Disclosures Pursuant to Fed R. Civ. P. 26(a)(3)(A) ○ October 23, 2006 – The J&J Defendants' Amended Individual Disclosures Pursuant to Fed R. Civ. P. 26(a)(3)(A) ○ October 24, 2006 – Track 1 Defendants' Joint Amended Pretrial Disclosures Pursuant to Fed R. Civ. P. 26(a)(3)(A) – Amended Exhibit List ○ October 24, 2006 – Plaintiffs' Objections to Track 1 Defendants' Joint Exhibit List ○ October 24, 2006 – Plaintiffs' Objections to Defendant AstraZeneca Pharmaceuticals LP's Exhibit List ○ October 24, 2006 – Plaintiffs' Objections to Defendants Bristol-Myers Squibb Co. and Oncology Therapeutics Network Corp.'s Amended Pretrial Disclosures ○ October 24, 2006 – Plaintiffs' Objections to the J&J Defendants' Amended Individual Disclosures Pursuant to Fed R. Civ. P. 26(a)(3)(A) ○ October 24, 2006 – Plaintiffs' Objections to Schering-Plough Corporation's and Warrick Pharmaceuticals Corporation's Amended Pretrial Disclosures Pursuant to Fed R. Civ. P. 26(a)(3)(A) ○ October 25, 2006 – Schering-Plough Corporation's and Warrick Pharmaceuticals Corporation's Second Amended Pretrial Disclosures Pursuant to Fed R. Civ. P. 26(a)(3)(A)

PRIVATE CLASS CASES	MDL DOCKET NO.	ORIGINAL JURISDICTION	STATUS
Master Consolidated Class Action (continued)			<ul style="list-style-type: none"> ○ November 2, 2006 – Track 1 Defendants’ Joint Second Amended Pretrial Disclosures Pursuant to Fed R. Civ. P. 26(a)(3)(A) ○ November 3, 2006 - Track 1 Defendants’ Joint Supplemental Pretrial Disclosures Pursuant to Fed R. Civ. P. 26(a)(3)(A) ○ November 6, 2006 - Schering-Plough Corporation’s and Warrick Pharmaceuticals Corporation’s Supplemental Pretrial Disclosures Pursuant to Fed. R. Civ. P. 26(a)(3)(A) ○ November 19, 2006 – Track 1 Defendants’ Second Joint Supplemental Pretrial Disclosures Pursuant to Fed R. Civ. P. 26(a)(3)(A) as to Exhibits • October 10, 2006 – Defendant AstraZeneca Pharmaceuticals LP’s Motion in Limine to Exclude Evidence Relating to Guilty Pleas and Sampling Activity <ul style="list-style-type: none"> ○ October 16, 2006 – Plaintiffs’ Opposition to Defendant AstraZeneca Pharmaceutical LP’s Motion in Limine to Exclude Evidence Relating to Guilty Pleas and Sampling Activity ○ October 18, 2006 – Defendant AstraZeneca Pharmaceuticals LP’s Motion for Leave to File a Reply to Plaintiffs’ Opposition to Defendant’s Motion in Limine to Exclude Evidence Relating to Guilty Pleas and Sampling Activity (reply memorandum attached) ○ October 18, 2006 – Plaintiffs’ Opposition to Defendant AstraZeneca Pharmaceuticals LP’s Motion for Leave to File a Reply to Plaintiffs’ Opposition to Defendant’s Motion in Limine to Exclude Evidence Relating to Guilty Pleas and Sampling Activity • October 10, 2006 – Track 1 Defendants’ Motion in Limine to Exclude Plaintiffs’ Exhibits Relating to the Conduct of Non-Track 1 Defendant Pharmaceutical Companies <ul style="list-style-type: none"> ○ October 16, 2006 – Plaintiffs’ Opposition to the Track 1 Defendants’ Motion in Limine to Exclude Plaintiffs’ Exhibits Relating to the Conduct of Non-Track 1 Defendant Pharmaceutical Companies • October 10, 2006 – The BMS Defendants’ Motion in Limine to Exclude All Evidence Relating to Apothecan Inc. <ul style="list-style-type: none"> ○ October 16, 2006 – Plaintiffs’ Opposition to the BMS Defendants’ Motion in Limine to Exclude All Evidence Relating to Apothecan, Inc.

PRIVATE CLASS CASES	MDL DOCKET NO.	ORIGINAL JURISDICTION	STATUS
Master Consolidated Class Action (continued)			<ul style="list-style-type: none"> • October 10, 2006 – Abbott Laboratories’ Motion for Protective Order and Motion to Quash Plaintiffs’ Third Party Subpoenas <ul style="list-style-type: none"> ○ November 13, 2006 – Plaintiffs’ Opposition to Abbott Laboratories’ Motion for Protective Order and Motion to Quash Plaintiffs’ Third Party Subpoenas • October 10, 2006 – Track 1 Defendants’ Joint Offering Deposition Designations (and Plaintiffs’ Objections and Counter Designations) <i>(individual designations filed by AstraZeneca and BMS Defendants)</i> <ul style="list-style-type: none"> ○ October 24, 2006 – Plaintiffs’ Objections and Counter Designations to Track 1 Defendants’ Joint Amended Offering Deposition Designations <i>(objections filed to individual designations by AstraZeneca and BMS)</i> • October 17, 2006 – Plaintiffs’ Deposition Designations (and Defendants’ Counter Designations/Objections) <ul style="list-style-type: none"> ○ November 9, 2006 – The J&J Defendants’ Supplemental Deposition Designations to Plaintiffs’ Deposition Designations ○ November 22, 2006 – Plaintiffs’ Supplemental Deposition Designations (and Schering-Plough Corporation’s and Warrick Pharmaceuticals Corporation’s Counter Designations/Objections) • November 1, 2006 – Proposed Findings of Fact <ul style="list-style-type: none"> ○ November 1, 2006 – Plaintiffs’ Combined Proposed Findings of Fact, Conclusion of Law and Trial Brief for the Phase 1 Trial Against the Track 1 Defendants ○ November 1, 2006 – Defendant AstraZeneca Pharmaceuticals LP’s Proposed Findings of Fact and Conclusions of Law ○ November 1, 2006 – Track 1 Defendants’ Common Proposed Findings of Fact and Conclusions of Law ○ November 1, 2006 – The J&J Defendants’ Proposed Findings of Fact and Conclusions of Law ○ November 1, 2006 – The BMS Defendants’ Proposed Findings of Fact and Conclusions of Law ○ November 1, 2006 – Schering-Plough Corporation’s and Warrick Pharmaceuticals Corporation’s Proposed Findings of Fact and Rulings of Law ○ November 6, 2006 – The J&J Defendants’ Supplemental Proposed

PRIVATE CLASS CASES	MDL DOCKET NO.	ORIGINAL JURISDICTION	STATUS
Master Consolidated Class Action (continued)			<p>Findings of Fact</p> <ul style="list-style-type: none"> • November 1, 2006 – Joint Motion to Amend CMO No. 25 • November 2, 2006 – Defendant Immunex Corporation’s Objections to October 23, 2006 Order by Chief Magistrate Judge Bowler Regarding Immunex’s Motion for Protective Order Regarding May 17, 2006, Deposition Notice <ul style="list-style-type: none"> ○ November 9, 2006 – Plaintiffs’ Memorandum In Response to Immunex Corporation’s Objections to October 23, 2006 Order by Chief Magistrate Judge Bowler Denying Immunex’s Motion for Protective Order • November 2, 2006 – Schering-Plough Corporation’s and Warrick Pharmaceuticals Corporation’s Motion in Limine to Exclude the Testimony of Charles M. Alcorn, Beatrice E. Manning, and G. Raymond Pironti, Jr. <ul style="list-style-type: none"> ○ November 5, 2006 – Plaintiffs’ Opposition to Schering-Plough Corporation’s and Warrick Pharmaceuticals Corporation’s Motion in Limine to Exclude the Testimony of Charles M. Alcorn, Beatrice E. Manning, and G. Raymond Pironti, Jr. • November 3, 2006 – Track 1 Defendants’ Objections to Plaintiffs’ Fact Witnesses’ Trial Declarations <ul style="list-style-type: none"> ○ November 5, 2006 – Plaintiffs’ Response to the Track 1 Defendants’ Objections to Plaintiffs’ Fact Witnesses’ Trial Declarations • November 3, 2006 – Track 1 Defendants’ Proposed Stipulation Relating to Consumer Witnesses <ul style="list-style-type: none"> ○ November 3, 2006 – Class Plaintiffs’ Response to Motion to Exclude Consumers From Testifying • November 6, 2006 – Track 1 Defendants’ Memorandum of Law in Response to the Court’s Question Regarding the Transaction Requirement in § 11 of CH. 93A <ul style="list-style-type: none"> ○ November 21, 2006 - Plaintiffs’ Memorandum Regarding the Transaction Requirement In Gen. Laws Chapter 93A, § 11 • November 6, 2006 – Plaintiffs’ Objections to the October 23, 2006 Order

PRIVATE CLASS CASES	MDL DOCKET NO.	ORIGINAL JURISDICTION	STATUS
			<p>by Chief Magistrate Bowler Re: Amgen Inc.'s Motion for Protective Order Relating to Plaintiffs' Rule 30(b)(6) Deposition Notice Regarding Sales and Marketing</p> <ul style="list-style-type: none"> ○ November 14, 2006 – Amgen Inc.'s Response to Plaintiffs' Objections to Chief Magistrate Judge Bowler's October 23, 2006 Order Granting Amgen Inc.'s Motion for Protective Order • November 13, 2006 – Plaintiffs' Motion in Limine to Preclude the Introduction by the Schering-Plough Group of Evidence of ASPs for Schering-Plough and Warrick Drugs <ul style="list-style-type: none"> ○ November 22, 2006 – Schering's and Warrick's Opposition to Plaintiffs' Motion to Preclude the Introduction of ASPs and to Plaintiffs' Motion to Strike References to ASPs ○ November 22, 2006 - Schering's and Warrick's Amended Opposition to Plaintiffs' Motion to Preclude the Introduction of ASPs and to Plaintiffs' Motion to Strike References to ASPs • November 13, 2006 – Plaintiffs' Motion to Strike References by the Schering-Plough Group in Their Opening Statement to Average Sales Prices for Schering-Plough and Warrick Drugs <ul style="list-style-type: none"> ○ November 22, 2006 – Schering's and Warrick's Opposition to Plaintiffs' Motion to Preclude the Introduction of ASPs and to Plaintiffs' Motion to Strike References to ASPs ○ November 22, 2006 - Schering's and Warrick's Amended Opposition to Plaintiffs' Motion to Preclude the Introduction of ASPs and to Plaintiffs' Motion to Strike References to ASPs • November 21, 2006 – Schering-Plough Corporation's and Warrick Pharmaceuticals Corporation's Motion to Strike Portions of the Trial Affidavit of G. Raymond Pironti, Jr. • November 22, 2006 – Track 1 Defendants' Motion to Strike Portions of the Trial Affidavit of Glenn Randle, Motion to Strike Portions of the Trial Affidavit of Sharon Faulkner <ul style="list-style-type: none"> ○ November 27, 2006 – Plaintiffs' Combined Opposition to Track 1 Defendants' Motions to Strike Portions of the Trial Affidavits of Glenn Randle and Sharon Faulkner ○ November 27, 2006 – Plaintiffs' Motion for Leave to File Amended Trial Affidavits of Glenn Randle and Sharon

PRIVATE CLASS CASES	MDL DOCKET NO.	ORIGINAL JURISDICTION	STATUS
			<p data-bbox="1304 298 1402 321">Faulkner</p> <ul style="list-style-type: none"> <li data-bbox="1163 354 1965 407">November 27, 2006 – Plaintiffs’ Memorandum Regarding Defendants’ <i>Per Se</i> Unfair or Deceptive Acts or Practices